

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JAMES EDWARD KING,

Petitioner,

v.

SCOTT FRAUENHEIM,

Respondent.

Case No. [14-cv-05267-SI](#)

**ORDER DENYING CERTIFICATE OF  
APPEALABILITY AND GRANTING  
PAUPER STATUS FOR APPEAL**

Re: Dkt. Nos. 37, 38

Petitioner has filed a notice of appeal and a request for a certificate of appealability. *See* 28 U.S.C. § 2253(c). This is not a case in which “reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). Accordingly, the request for a certificate of appealability is DENIED. Dkt. No. 37.

Petitioner’s request to proceed *in forma pauperis* on appeal is GRANTED. Dkt. No. 38.

**IT IS SO ORDERED.**

Dated: September 16, 2016



SUSAN ILLSTON  
United States District Judge